

**ENVIRONMENT COURT OF NEW ZEALAND
WELLINGTON REGISTRY**

**I MUA I TE KOOTI TAIAO O AOTEAROA
TE WHANGANUI-A-TARA**

ENV-2023-WLG-000005

Under the Resource Management Act 1991

In the matter of the direct referral of applications for resource consent and notices of requirement under sections 87G and 198E of the Act for the Ōtaki to North of Levin Project

By Waka Kotahi NZ Transport Agency

**STATEMENT OF REBUTTAL EVIDENCE OF PHILLIP JEREMY PEET ON
BEHALF OF WAKA KOTAHI NZ TRANSPORT AGENCY**

Dated 10 October 2023

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INTRODUCTION

1. My full name is **Phillip Jeremy Peet**.
2. I prepared a statement of evidence (**Evidence**) regarding transport effects of the proposed Ōtaki to North of Levin Project (**Ō2NL Project** or **Project**), dated 4 July 2023.
3. My qualifications and experience are set out in my Evidence.
4. In this rebuttal evidence I use the same defined terms as in my Evidence.
5. I repeat the confirmation given in my Evidence that I have read the 'Code of Conduct' for expert witnesses and that my evidence has been prepared in compliance with that Code.
6. This rebuttal evidence responds to points made in evidence by:
 - (a) Ms Anna Carter and Mrs Karen Prouse, on behalf of Prouse Trust Partnership, Mrs Karen and Mr Stephen Prouse;
 - (b) Mr David Dunlop and Mr Sean Mallon, on behalf of Kāpiti Coast District Council (**KCDC**); and
 - (c) Mr Tim Kelly, on behalf of Horowhenua District Council (**HDC**).
7. I attended expert conferencing with Mr Dunlop and Mr Kelly on 24 July 2023.

RESPONSE TO MS CARTER AND MRS PROUSE

Access

8. From speaking with Waka Kotahi, I understand that the exact form of access into the Prouse property has not been agreed. Mr Dalzell addresses this in his rebuttal evidence.
9. Nevertheless, I am confident that access solutions exist to meet the Prouse's concerns.
 - (a) Access to the Prouse property will continue to be provided at the three existing access points.
 - (b) Access to the Prouse property can be provided in a way that future-proofs the ability to provide a new access road through the Prouse property in general accordance with the Tara-Ika Structure Plan, as

well as a right turn bay on Queen Street East for traffic turning into this potential new road (if that is in fact needed).

- (c) No parking area on Queen Street East is proposed in the designation on the remaining part of Queen Street East on the frontage of the Prouse property.
 - (d) The access solution is able to meet relevant HDC road standards.
10. A number of layouts for these requirements are possible and therefore the access drawing attached to Appendix 2 of Mrs Prouse's evidence should not be assumed to be the most appropriate layout nor be used as the basis for a general accordancy type condition. Not least of which is the potential for the exact location of either the Queen Street East connection (proposed by the Ō2NL Project) or the access road into Tara-Ika to move during the design development. In addition, as the roads are, or will become, HDC assets, HDC will be involved during the design of these local roads.
 11. I do agree that the proposed layout at this location should be consulted upon with the Prouse family before being implemented.
 12. In relation to Road Safety Audits, any audit of the new highway and local road connections would consider all changes to local roads that are undertaken by the Project.

RESPONSE TO MR DUNLOP AND MR MALLON

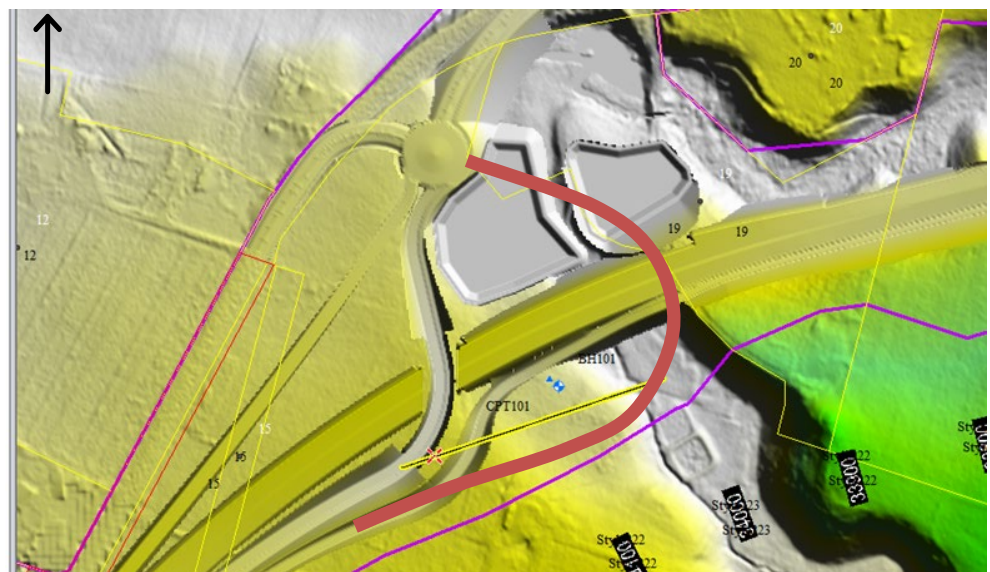
Southern interchange

13. I have read both Mr Dunlop's and Mr Mallon's evidence and have considered their proposed design ideas and alterations to conditions.
14. In summary, I acknowledge that an option which provides both a parallel arterial and local connectivity would provide additional benefit. However, I am still of the opinion that something with this functionality cannot be created without significant cost and adverse effects.
15. Concerns raised by Mr Dunlop and Mr Mallon in regard to resilience, suitability of the alternative route and interchange spacing have already been covered in my Evidence.¹ My view remains that the Project will increase the resilience of this highway route and will not create additional issues.

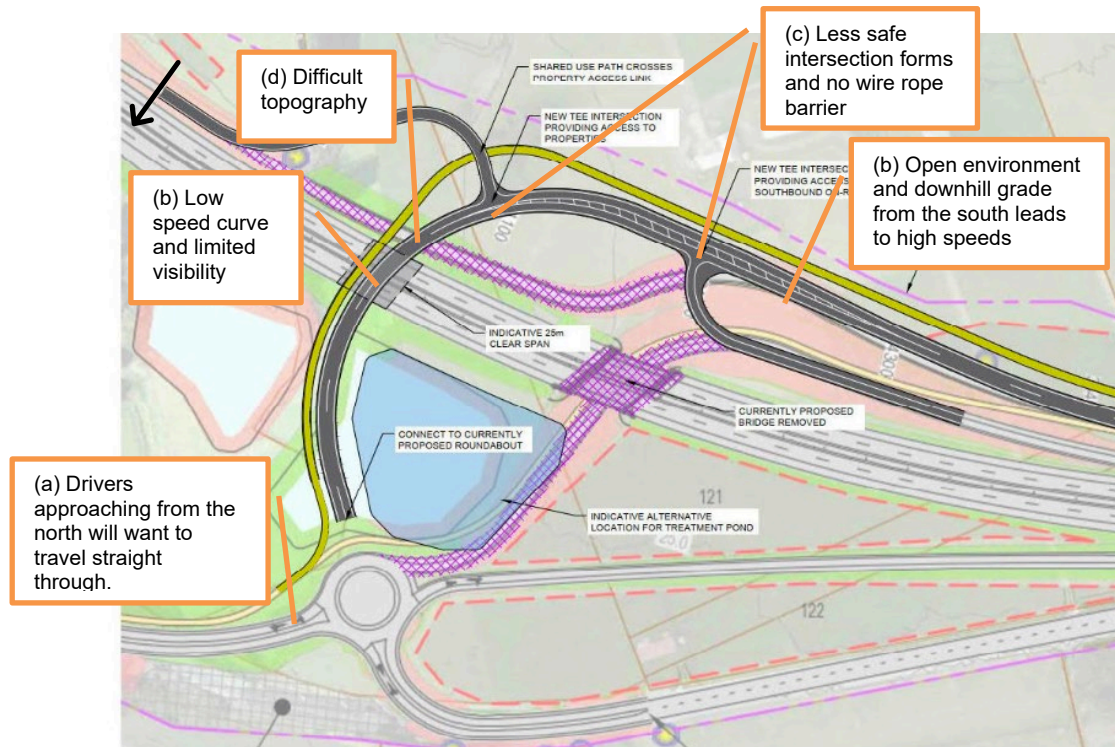
¹ At [129]-[155].

Furthermore, the resilience concerns identified by Mr Dunlop and Mr Mallon would only eventuate if a crash were to happen in the 4km section of highway between Ōtaki and Taylors Road. The probability of that occurring with any regularity is very low given this is a 5-star rated highway. The probability of a crash occurring on this section does not increase as a consequence of the Ō2NL Project, in fact it decreases as it will remove the current northbound merge where the highway reduces from two lanes to one (the Ō2NL project will deliver two continuous lanes in this location)..

16. Whilst the alternative route is not ideal, it is functional and other alternative routes will also exist, as they do currently, east of the new highway. Interchange spacing has been assessed by experts in the design team and Waka Kotahi and it is not considered to be an issue.
17. The interchange layout identified by Mr Dunlop and his colleague Mr Thornton is very similar to one of the concept options identified by the design team earlier in the Project development process. This option was rejected for a number of reasons including topography, safety, and the surrounding environment.
18. In terms of topography, this area is in rolling terrain which includes deep gully systems. The alignment of the proposed parallel arterial in this option would need to traverse a gully which is 15m deep. This then creates significant engineering, construction and environmental challenges. This stark change in ground level can be seen in the image below, with grey being low ground, yellows and greens being high ground. The red line shows the approximate location of Mr Dunlop's suggested new two way arterial.



19. Mr Dunlop states that his option was not developed in 3D. That would explain the lack of consideration of this 15m deep gully which traverses through the site at this location and its potential implications. I expect the earthwork and drainage impacts of this link would lead to increases in cost, increased difficulty and a significantly increased footprint that could extend outside the proposed designation.
20. I also have significant safety concerns with Mr Dunlop's option including:
 - (a) The roundabout layout would not be easily readable to drivers. Approaching on the old highway from the north, drivers would need to turn left at the roundabout to get onto the new highway or to enter Ōtaki. This is counter intuitive as both those destinations are straight ahead. It is usual for arterial routes to proceed straight through such intersections and if drivers attempted the expected straight-through movement in this location, they would be driving up an off-ramp which could lead to a serious crash on the new highway.
 - (b) The posted speed of 50km will be challenging to enforce with the lack of side friction and rural environment. Whilst southbound traffic will be coming from a slow-speed roundabout, northbound traffic will have a long straight and will also be at a significant downhill grade which will lead to high speeds heading into a low-speed curve with intersections and limited visibility.
 - (c) T-intersections are proposed with both the southbound on-ramp and the property access to the north. In addition to these not being as safe as roundabouts (and hence having an increased risk of high severity crashes), they also prohibit wire rope median barriers which prevent head on crashes.
 - (d) The combination of vertical and horizontal geometry is likely to create further challenges and safety issues that will only be able to be determined after 3D design is undertaken.



21. Whilst I cannot comment on wider environmental matters, I do note that there is a stream, Māori owned land and significant natural character planting proposed as part of the Project in this area (see Planting Concept Plan Sheet 18 – Drawing 310203848-01-700-C2017).
22. Based on the above, I would not support a condition that states that a two-way local arterial connection could be developed in general accordance with the layout proposed by Mr Dunlop.
23. In my opinion, and based on the significant work undertaken by the design team in the Project development process, a choice will need to be made between providing a parallel arterial route or providing local access. I believe that it will not be possible to achieve both whilst still treading lightly on the whenua.
24. As presented in my Evidence, I believe that it is more important to provide local access to retain existing levels of connectivity to those users between Ōtaki and Ohau, particularly as the parallel arterial would only be needed in those very rare events where a crash happens on a short 4km stretch of new highway.

RESPONSE TO MR KELLY

Local roads pre and post construction survey

25. Mr Kelly raises in his evidence an opportunity to include a pre and post construction survey condition. I concur that Waka Kotahi should be required to repair any damage to the local road network caused by the Project.

Network Integration Plan

26. Mr Kelly raises in his evidence an opportunity to include a Network Integration Plan condition. Mr Dalzell and Ms McLeod comment on the proposed condition. I do not know what effect having this plan would mitigate. I note that all interfaces have been agreed in the development of the scheme with the exception of Taylors Road and access to the Prouse property, both of which have been subject to detailed consideration including through evidence exchange. Furthermore, the detail of any changes to local roads will need to be agreed with the asset owners (the Councils) before work is undertaken. Accordingly, I do not see the need for a Network Integration Plan.

Phillip Jeremy Peet

10 October 2023